

RESOLUTION NO. 79-89

ESTABLISHING UNDERGROUND UTILITY DISTRICT NO. 5

BE IT RESOLVED by the Council of the City of Lodi as follows:

WHEREAS, by Resolution No. 79-85, a public hearing was called for Tuesday, July 3, 1979, at the hour of 8:00 p.m. in the Council Chambers in the City Hall, Lodi, California, to ascertain whether the public necessity, health, safety, or welfare requires the removal of poles, overhead wires and associated overhead structures, and the underground installation of wires and facilities for supplying electric, communication, or similar or associated service, within that certain area of the City described as follows:

Beginning at the point of intersection of the West Line of Church Street and the North Line of Elm Street, the point known as the Southeast corner of Lot 5, Block 2, City of Lodi; thence Northerly along the West right-of-way line of Church Street to the Southwest corner of Church Street and Locust Street; thence Easterly along the South right-of-way line of Locust Street to the Southeast corner of Locust Street and Sacramento Street; thence Southerly along the east right-of-way line of Sacramento Street to the Southeast corner of Sacramento Street and Elm Street; thence Northwesterly to the Northwest corner

of Elm Street and Sacramento Street; thence Westerly along the North right-of-way line of Elm Street to the point of beginning.

WHEREAS, notice of such hearing has been given to all affected property owners as such are shown on the last equalized assessment roll and to all utilities concerned in the manner and within the time required by law; and

WHEREAS, such hearing has been duly and regularly held, and all persons interested have been given an opportunity to be heard.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Lodi, that, pursuant to Section 25A of the Code of the City of Lodi, the above-described area is hereby declared an Underground Utility District, and is designated as Underground Utility District No. 5 of the City of Lodi. Attached hereto, marked "Exhibit A" and hereby incorporated as a part of this resolution, is a map delineating the boundaries of said District;

RESOLVED, FURTHER, that the Council does hereby fix September 1, 1980, as the date on which affected properly owners must be ready to receive underground service, and does hereby order the removal of all poles, overhead wires and associated overhead structures and the underground installation of wires and facilities for supplying electric, communication, or similar or associated service within Underground Utility District No. 5 on or before April 1, 1981;

RESOLVED, FUTHER, that the City Clerk is hereby instructed to notify all affected utilities and all persons owning real property within Underground Utility District No. 5 of the adoption of this resolution within ten (10) days after the date of such adoption. Said City Clerk shall futher notify said property owners of the necessity that, if they or any person occupying such property desire to continue to receive electric, communication or other similar or associated service, they or such occupant shall, by the date fixed in this resolution, provide all necessary facility changes on their premises so as to receive such service from the lines of the supplying utility or utilities at a new location, subject to applicable rules, regulations and tariffs of the respective utility or utilities on file with the Public Utilities Commission of the State of California. Such notification shall be made by mailing a copy of this resolution together with a copy of said Ordinance No. 937, to all affected property owners as such are shown of the last equalized assessment roll and to the affected utilities;

RESOLVED, FUTHER, that the Council hereby finds and determines as follows:

The Underground Utility District herein created is in the general public interest for the following reason:

The streets, roads or rights of way in the District are extensively used by the general public and carry a heavy volume of pedestrian or vehicular traffic.

Dated: July 3, 1979

I hereby certify that Resolution No. 79-89 was passed and adopted by the City Council of the City of Lodi in an adjourned regular meeting held July 3, 1979 by the following vote:

Ayes: Councilmen- Hughes, Katnich, McCarty, Pinkerton,
and Katzakian

Noes: Councilmen- None

Absent: Councilmen- None


Alice M. Reimche
City Clerk